

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**NATHAN HARVEY and NICK
DEPROSPO**, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

**NATIONAL AMUSEMENTS INC. d/b/a
SHOWCASE CINEMAS**,

Defendant.

No. 1:24-cv-10027-GAO

PLAINTIFFS' AMENDED NOTICE OF APPEAL

Notice is hereby given that Plaintiffs, Nathan Harvey and Nick Deprosopo, hereby amend the Notice of Appeal originally filed on April 28, 2025.

This Amended Notice of Appeal is taken to the United States Court of Appeals for the First Circuit from:

1. The judgment entered by the Court on March 27, 2025 (ECF Nos. 40 and 41), and all prior orders subsumed therein; and
2. The Electronic Order entered on July 16, 2025 (ECF No. 42) by the Honorable George A. O'Toole, Jr., denying Plaintiffs' Rule 59(e) Motion to Clarify and Rule 15(a) Motion for Leave to Amend, and reaffirming the dismissal with prejudice of Plaintiffs' claims.

This amendment is made to ensure that the appeal encompasses the Court's July 16, 2025 order in addition to the March 27, 2025 judgment.

Dated: August 15, 2025

Respectfully submitted,

STRAUSS BORRELLI PLLC

By: /s/ Cassandra P. Miller

Cassandra P. Miller*

Raina C. Borrelli*

One Magnificent Mile

980 N Michigan Avenue, Suite 1610

Chicago IL, 60611

Telephone: (872) 263-1100

Facsimile: (872) 263-1109

Facsimile: (872) 263-1109

cmiller@straussborrelli.com

raina@straussborrelli.com

Anthony Paronich

PARONICH LAW, P.C.

350 Lincoln Street, Suite 2400

Hingham, MA 02043

Telephone: (617) 485-0018

Facsimile: (508) 318-8100

anthony@paronichlaw.com

*Attorney for Plaintiffs and the Proposed Class
Pro Hac Vice**

CERTIFICATE OF SERVICE

I, Cassandra P. Miller, hereby certify that on August 15, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record, below, via the ECF system.

DATED this 15th day of August, 2025.

STRAUSS BORRELLI PLLC

By: /s/Cassandra P. Miller
Cassandra P. Miller
STRAUSS BORRELLI PLLC
One Magnificent Mile
980 N Michigan Avenue, Suite 1610
Chicago IL, 60611
Telephone: (872) 263-1100
Facsimile: (872) 263-1109
cmiller@straussborrelli.com